

Exhibit B

REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL **(Submitted Only via EFS-Web)**

Application Number	10/824,075	Filing Date	2004-04-14	Docket Number (if applicable)	P2014R1	Art Unit	1846
First Named Inventor	Mary E. Gerritsen			Examiner Name	Ruixiang Li		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

☐ Other _____

☒ Enclosed

☒ Amendment/Reply

☐ Information Disclosure Statement (IDS)

☐ Affidavit(s)/ Declaration(s)

☒ Other

Petition for Extension of Time, General Transmittal

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____ (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

☐ Other _____

FEES

☒ The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
 The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 070630

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

☐ Applicant Signature

Doc code: RCEX

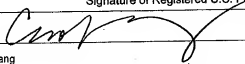
Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (03/08)

Approved for use through 03/31/2008, OMB 0951-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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Signature of Registered U.S. Patent Practitioner			
Signature		Date (YYYY-MM-DD)	2008-03-04
Name	Carol A. Fang	Registration Number	48631

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re Application of:</p> <p>Gerritsen et al.</p> <p>Appln. No.: 10/824,075</p> <p>Filed: April 14, 2004</p> <p>Title: METHODS AND COMPOSITIONS FOR SELECTIVE MODULATION OF VASCULARIZATION</p>	<p>Group Art Unit: 1646</p> <p>Examiner: Li, Ruixiang</p> <p>Confirmation No.: 7011</p> <p>Customer No: 09157</p> <p>Electronically filed on March 4, 2008</p>
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REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. §1.114

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Request for Continued Examination (RCE) under 37 C.F.R. §1.114 is filed in response to the Final Office Action mailed October 23, 2007. A petition for a two-month extension of time to extend the period of response to on or before March 23, 2008 accompanies this RCE. In view of the discussion provided, reconsideration and allowance are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1-12. (Canceled)

13. (Currently amended) A method of selectively inhibiting an angiogenic process promoted by a first angiogenic factor, but not the angiogenesis process promoted by a second angiogenic factor, comprising administering to a cell exposed to both factors an effective amount of STC-1 (SEQ ID NO: 2) ~~or a variant thereof~~, wherein the STC-1 ~~or a variant thereof~~ inhibits at least one step of the angiogenic process promoted by the first angiogenic factor but not the second angiogenic factor,

wherein the first angiogenic factor is hepatocyte growth factor and the second angiogenic factor is selected from the group consisting of: fibroblast growth factor and vascular endothelial growth factor, and

wherein the angiogenic process is cell migration.

14. (Original) The method of claim 13, wherein the first and second angiogenic factors both are capable of inducing endogenous expression of STC-1.

15-18. (canceled)

19. (Currently amended) The method of claim 13, wherein STC-1 ~~or variant thereof~~ does not inhibit cell proliferation.

20-29. (Canceled)

REMARKS

Status of the Claims

After entry of this amendment, claims 13-14 and 19 are pending. Claims 15-18 and 20 have been canceled without prejudice to future prosecution. Claims 1-12 and 21-29 were previously canceled. Claim 13 has been amended to incorporate elements of claims 15-18. Claims 13 and 19 have been amended to delete the recitation "variant thereof." Thus, no new matter is added by these amendments.

Rejection Under 35 U.S.C. § 112, First Paragraph

Claims 13-20 are rejected under 35 U.S.C. § 112, first paragraph as allegedly lacking adequate written description. The claims have been amended. To the extent the rejection applies to the amended claims, Applicants respectfully traverse.

In making the rejection, the Examiner acknowledges that the specification adequately describes STC-1 inhibition of HGF-induced cell migration, but not bFGF- or VEGF-induced cell migration (*see*, Office Action at page 3, last paragraph bridging to page 4). Solely to expedite prosecution, the claims have been amended to recite that the angiogenic process is inhibited is cell migration.

The Examiner also continues to allege that the specification does not enable variants of STC-1. Applicants do not agree, but solely in the interest of expediting prosecution, the claims have been amended to delete the recitation "variants thereof."

Accordingly, Applicants respectfully request withdrawal of this rejection under 35 U.S.C. § 112, first paragraph.

SUMMARY

In view of the foregoing, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

If the Examiner believes that a telephone conference would expedite the prosecution of the subject application, the Examiner is strongly encouraged to call the undersigned at the number indicated below.

In the unlikely event that this document is separated from the transmittal letter or if fees are required, applicants petition the Commissioner to authorize charging our Deposit Account **07-0630** for any fees required or credits due and any extensions of time necessary to maintain the pendency of this application.

Respectfully submitted,
GENENTECH, INC.

By: 

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Date: March 4, 2008